

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CITIZENS AWARENESS NETWORK,)	
INC.,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO. 04-30114-MAP
)	
UNITED STATES OF AMERICA, ET)	
AL,)	
Defendants)	

MEMORANDUM AND ORDER REGARDING
DEFENDANTS' MOTION TO DISMISS
(Docket No. 7)

October 14, 2004

PONSOR, U.S.D.J.

For the reasons stated in open court on October 13, 2004, the defendant's Motion to Dismiss is hereby ALLOWED, on the grounds of mootness. Plaintiff's argument that the portion of the case seeking declaratory relief remains adjudicated is not persuasive. Moreover, plaintiff may move for attorney's fees after judgment enters, if it desires, though given the Supreme Court's Buckhannon decision, the prospects do not appear good.

The clerk will enter judgment of dismissal.

It is So Ordered.

/s/ Michael A. Ponsor
MICHAEL A. PONSOR
U. S. District Judge